THE HYDERABAD HOUSES (RENT, EVICTION AND LEASE) CONTROL ACT, 1954.

No. XX of 1954.

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THE HYDERABAD HOUSES (RENT, EVICTION AND LEASE) CONTROL ACT, 1954.

No. XX OF 1954.

An act to make provision for the better control of rent of houses and to prevent unreasonable eviction of tenants therefrom and for regulation of the leasing of houses in certain areas of the State of Hyderabad.

Preamble.

WHEREAS it is expedient to make provision for the better control of the rent of houses and to prevent unreasonable eviction of tenants therefrom and to regulate the leasing of houses in certain areas of the State of Hyderabad;

IT is hereby enacted as follows :—

Short title, commencement and extent.

1. (1) This Act may be called the Hyderabad Houses (Rent, Eviction and lease) Control Act, 1954.

(2) It shall come into force at once.

(3) It shall apply to the areas specified in the Schedule and to such other areas as the Government may, by notification, from time to time, direct.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(*a*) "Controller" means any person appointed by Government to perform the functions of a Controller under this Act ;

(*b*) "House" means any building or hut or part of a building or hut let or to be let separately for residential or non-residential purpose and includes—

(*i*) the garden, grounds, garages, and out-houses, if any, appurtenant to such building or hut or part of such building or hut and let or to be let along with such building or hut or part thereof ;

(*ii*) any furniture supplied or any fittings affixed by the landlord for use in such building or hut provided that the expression does not include a room in a hotel or boarding house;

(*c*) "Landlord" includes a person who is receiving or is entitled to receive rent of a house, whether on his own account or on behalf of or for the benefit of another person or on behalf of himself and others or as an agent, trustee, executor, administrator, receiver or guardian or who would so receive rent or be entitled to receive rent if the house were let to a tenant;

Explanation :—A tenant who is entitled to sub-let a house shall be deemed to be a landlord within the meaning of the Act in relation to the sub-tenant.

(*d*) "Notification" means a notification published in the Jarida;

(*e*) "Prescribed" means prescribed by rules made under this Act;

(*f*) "Tenant" means any person by whom or on whose account rent is payable for a house and includes ;

(*i*) such sub-tenants and other persons as have derived title under a tenant before the coming into operation of the Hyderabad Rent Control Order of 1353 Fasli or this Act ;

(*ii*) any member of the tenant's family residing with him at the time of or within three months preceding his death or in default of an agreement such member as may be decided upon by the Controller.

Notice of vacancy by the landlord.

3. (1) The Government may, by general or special order published in the Jarida, require any landlord to give the Controller within 7 days of the date on which any house, of which he is the londlord, falls vacant, notice of such vacancy.

(2) When a general or special order is published in the Jarida under sub-section (1), the landlord concerned shall, within 7 days of the date on which his house falls vacant, give notice thereof in writing to the Controller :

Provided that nothing in sub-section (2) shall apply to any house in respect of which the landlord has obtained an order for possession on any of the grounds specified in sub-section (3) of section 10 or to any house the monthly rent of which does not exceed Rs. 30.

(3) If within a week of the receipt of the notice from a landlord under sub-section (2) the Controller does not direct that the house shall be let out by the landlord to any State or Central Government or any local authority or public institution under the control of such Government or to any officer of the State or Central Government, the landlord shall be at liberty to lease the house to any tenant.

(4) The person, authority or public institution to whom the house has been let out under the direction of the Controller under sub-section (3) shall be liable to pay rent from the date of receipt of notice by the Controller from the landlord under sub-section (2).

Explanation:— A newly constructed house for the purpose of this section shall be deemed to have fallen vacant as soon as it is fit for occupation.

Determination of rent.

4. (1) The controller shall, on application by the tenant or landlord fix a fair rent for a house let to a tenant after holding summary enquiry.

(2) In fixing the fair rent under this section, the Controller shall have due regard ;

(*a*) to the prevailing rates of rent in the locality for the same or similar accommodation in similar circumstances during the twelve months prior to the 5th of April, 1944 ;

(*b*) to the rental value as entered in the property tax assessment book of the Municipal Corporation or other local body as the case may be relating to the period mentioned in clause (*a*) ;

(*c*) to the circumstances of the case including any amount paid by the tenant by way of premium or any other like sum in addition to rent after the 5th of April, 1944:

Provided that in fixing the fair rent of a house constructed or let out for the first time after 5th of April, 1944, the Controller may take into consideration the rental value of the premises as entered in the property tax assessment book of the Municipal body for the year in which the house was constructed:

Provided further that where no such records are available the Controller may take into consideration the capital value of the premises.

(3) In fixing the fair rent of a residental house, the Controller may allow—

(*a*) if the rate of rent or rental value referred to in sub-section (2) does not exceed Rs. 25 per mensem, an increase not exceeding $8\frac{1}{3}$ per cent. on such rate or rental value;

(*b*) if the rate of rent or rental value exceeds Rs. 25 per mensem but does not exceed Rs. 50 per mensem, an increase not exceeding $12\frac{1}{2}$ per cent. on such rate or rental value;

(*c*) if the rate of rent or rental value exceeds Rs. 50 per mensem but does not exceed Rs. 100 per mensem, an increase not exceeding 20 per cent. on such rate or rental value;

(*d*) if the rate of rent or rental value exceeds Rs. 100 per mensem, an increase not exceeding 25 per cent. on such rate or rental value;

(4) In fixing the fair rent of a non-residential house, the Controller may allow—

(*i*) if the rate of rent or rental value referred to in sub-section (2) does not exceed Rs. 100 per mensem, an increase not exceeding 50 per cent. on such rate or rental value;

(*ii*) if the rate of rent or rental value referred to in sub-section (2) exceeds Rs. 100 per mensem, an increase not exceeding 100 per cent. on such rate or rental value.

Reasons for increase in fair rent.

5. (1) The landlord shall be entitled to make such increase in the rent of the house as may be reasonable for any improvement or structural alteration of the house which has been made at his expense and if the house is then in the occupation of a tenant at the tenant's request or with his consent:

Provided that the increase shall be calculated at a rate per annum not exceeding 6 per cent. of the cost of such improvement or structural alteration and the fair rent as increased in consequence shall not exceed the fair rent payable under this Act for a similar house in the same locality with such improvement or alteration and it shall not be chargeable until such improvement or alteration has been completed:

Provided further that any dispute between the landlord and the tenant in regard to any increase claimed under this sub-section shall be decided by the Controller.

(2) Where after the fair rent for a house has been fixed under this Act, if there is any decrease or diminution in the accommodation or amenities provided, the tenant may claim a reduction in the fair rent as so fixed :

Provided that any dispute between the landlord and the tenant in regard to any reduction or claim shall be decided by the Controller.

Increase of rent where tax or cess is increased.

6. (1) Where the rate of tax or cess payable by the lanlord in respect of any premises to a local authority is enhanced after the fixation of the fair rent under section 4, the landlord shall be entitled to claim such excess from the tenant in addition to the rent payable for the house under the Act:

Provided that such excess shall not be recoverable in so far as it has resulted from an increase of rent in respect of the house.

(2) Any dispute between the landlord and the tenant in regard to any increase claimed under sub-section (1) shall be decided by the Controller.

Landlord not to claim or receive anything in excess of fair or agreed rent.

7. (1) Where the Controller has determined the fair rent of a house.

(*a*) The landlord shall not claim, receive or stipulate for the payment of any premium or other like sum in addition to such fair rent or save as provided in sections 5 and 6 any rent in excess of such fair rent ;

(*b*) save as provided in clause (*a*), any premium or other like sum or any rent paid in addition to such fair rent whether before or after the commencement of this Act in consideration of the grant, continuance or renewal of the tenancy of the house after such commencement shall be refunded by the landlord to the person by whom it was paid or at the option of such person otherwise adjusted by the landlord :

Provided that where before the determination of the fair rent, rent has been paid in excess thereof, the refund or adjustment shall be limited to the amount paid in excess for a period of six months prior to the date of application for fixing the fair rent.

(2) Where the fair rent of a house has not been so determined.

(*a*) the landlord shall not after the commencement of this Act receive or stipulate for the payment of any premium or other like sum in addition to the agreed rent ;

(*b*) save as provided in clause (*a*), any sum paid in excess of the agreed rent under this Act whether before or after the commencement of this Act in consideration of the grant, continuance or renewal of the tenancy of the house after such commencement shall be refunded by the landlord to the person by whom it was paid or at the option of the person otherwise adjusted by the landlord.

(3) Any stipulation in contravention of sub-section (1) or sub-section (2) shall be null and void.

(4) It shall not be lawful for the tenant or any person acting or purporting to act on behalf of the tenant to claim

or receive any sum or any consideration as a condition of relinquishment of his tenancy of any house.

(5) Notwithstanding anything contained in any law for the time being in force, or any contract, custom or local usage to the contray, rent payable by the month, year or portion of a year shall be recovered according to British Calendar.

Right of tenant paying rent or advance to receipt.

8. (1) Every tenant who makes a payment on account of rent or advance shall be entitled to obtain a receipt for the amount paid duly signed by the landlord or his authorised agent.

(2) If the landlord refuses to accept or evades the receipt of any rent lawfully payable to him by a tenant in respect of any house, the tenant shall be entitled to remit the rent by money order after deducting the money order commission.

Right of tenant to deposit rent in certain cases.

9. (1) Where the address of the landlord or the authorised agent of the landlord is not known to the tenant, he may deposit such rent together with such fee, if any, as may be prescribed for the service of the notice referred to in sub-section (2) before the controller and shall report to him the circumstances under which such deposit was made by him and continue to deposit any rent which may subsequently become due in respect of the house before the same authority and in the same manner until the address of the landlord or his authorised agent becomes known to the tenant.

(2) When any deposit is made under sub-section (1) the Controller may cause a notice of deposit to be served, by affixing it at the last known place of residence of the landlord, or in such other manner as may be prescribed, and the amount deposited may subject to such conditions as may be prescribed be withdrawn by the landlord on application made by him to the Controller in that behalf.

(3) Where any *bona fide* dispute arises as to the person who is entitled to receive the rent for any house, the tenant may with the premission of the Controller, deposit such rent before the controller and shall report to him the circumstances under which snch deposit was made and may in accordance with the direction of the Controller, continue to deposit any rent which may subsquently become due in respect of the house, until the dispute is settled by a competent court or by settlement between the parties.

Eviction of tenants.

10. (1) A tenant shall not be evicted, whether in execution of a decree or otherwise execept in acordance with the provisions of this section.

(2) A landlord who seeks to evict his tenant shall apply to the Controller for a direction in that behalf. If the Controller, after giving the tenant a reasonable opportunity of showing cause against the application, is satisfied—

(i) that the tenant has not paid or tendered the rent due by him in respect of the house, within fifteen days after the expiry of the time fixed in the agreement of tenaney with his landlord or in the absence of any such agreement by the last day of the moth next following that for which the rent is payable ; or

(ii) that the tenant has after the commencement of the Hyderabad House Rent Control Order of 1353 F., or this Act without the written consent of the landlord—

(a) transferred his right under the lease or sub-let the entire house house or any portion thereof, if the lease does not confer on him any right to do so, or

(b) used the house for a purpose other than that for which it was leased, or

(iii) that the tenant has committed such acts of waste as are likely to impair meterially the value or utility of the house, or

(iv) that the tenant has been guilty of such acts and conduct as are a nuisance to the occupiers of other portions in the same house or of houses in the neighbourhood, or

(v) that the tenant has secured alternative house or ceased to occupy the house for a continuous period of four months without reasonable cause, or

(vi) that the tenant has denied the title of the landlord or claimed a right of permanent tenancy and that such denial or claim was not *bona fide*,

the Controller shall make an order directing the tenant to put the landlord in possession of the house, and if the Controller is not so satisfied, he shall make an order rejecting the application.

Provided that in any case falling under clause *(i)* if the controller is satisfied that the tenant's default to pay or tender rent was not wilful he may, before making an order as aforesaid, give the tenant a reasonable time, not exceeding 15 days, to pay or tender the rent to the landlord up to the date of such payment or tender.

(3) *(a)* A landlord may subject to the provisions of clause *(d)* apply to the Controller for an order directing the tenant to put the landlord in possession of the house :—

(i) in case it is a residential house, if the landlord requires it for his own occupation and if he is not occupying a residential house of his own in the city, town or village concerned ;

(ii) in case it is a non-residential house which is used for the purpose of keeping a vehicle or adapted for such use, if the landlord requires it for his own use and if he is not occupying any such building in the city, town or village concerned which is his own or to the possession of which he is entitled ;

(iii) in case it is any other non-residential house, if the lanlord is not occupying for purpose of a business which he is carrying on, a non-residential house in the city, town or village concerned which is his own or to the possession of which he is entitled ;

(iv) if the landlord desires to carry out essential repairs or alterations to the house which cannot be made without the tenant vacating the house, *bona fiide* requires the house for the purpose of building or re-building or for making substantial additions which cannot be made without the tenant vacating the house :

Provided that a person who becomes landlord after the commencement of the tenancy by an instrument *inter vivos*

shall not be entiled to apply under this clause before the expiry of three months from the date on which the instrument was registered :

Provided further that where a landlord has obtained possession of a house under this clause, he shall not be entitled to apply again under this clause—

(*i*) in case he has obtained possession of a residential house, for possession of another residential house of his own,

(*ii*) in case he has obtained possession of a non-residential house of his own for possession of another non-residential house;

Provided further that where a landlord has obtained possession of a house under sub-clause (*iv*), he shall on the completion of the work of repairs, alterations, building, re-building or making additions give the tenant the first preference for occupying the house on such terms as may be settled by the Controller.

(*b*) Where the landlord of a house, whether residential or non-residential, is a religious, charitable, educational or other public institution, it may, if the house is required for the purposes of the institution, apply to the Controller, subject to the provisions of clause (*d*), for an order directing the tenant to put the institution in possession of the house ;

(*c*) A landlord who is occupying only a part of a house, whether residential or non-residential, may, notwithstanding anything contained in clause (*a*), apply to the Controller for an order directing any tenant occupying the whole or any portion of the remaining part of the house to put the landlord in possession thereof, if he requires additional accommodation for residential purposes or for the purposes of a business which he is carrying on, as the case may be ;

(*d*) Where the tenancy is for a specified period agreed upon between the landlord and the tenant, the landlord shall not be entitled to apply under this sub-section befere the expiry of such period ;

(*e*) The Controller shall, if he is statisfied that the claim of the landlord is *bona fide* make an order directing the tenant to put the landlord in possession of the house on such date as may be specified by the Controller and if the Controller is not so satisfied, he shall make an order rejecting the application :

Provided that, in the case of an application under clause (*c*), the Controller shall reject the application if he is satisfied that the hardship which may be caused to the tenant by granting it will outweigh the advantage to the landlord:

Provided further that the Controller may give the tenant a reasonable time for putting the landlord in possession of the house and may extend such time so as not to exceed three months in the aggregate.

(4) No order for eviction shall be passed under sub-section (3)—

(*i*) against any tenant who is engaged in any employment or class of employment notified by the Government as an essential service for the purposes of this sub-section, unless the landlord is himself engaged in any employment or class of employment which has been so notified; or

(*ii*) in respect of any house which has been let for use as an educational institution and is actually being used as such, provided that the institution has been recognised by the Government or any such authority empowered by them in this behalf, so long as such recognition continues.

(5) (*a*) Where a landlord who has obtained possession of a building in pursuance of an order under sub-section (3) does not himself occupy it within one month of the date of obtaining possession, or having so occupied it, vacates it without reasonable cause within six months of such date, the tenant who has been evicted may apply to the Controller for an order directing that he shall be restored to possession of the house and the Controller shall make an order accordingly, notwithstanding anything contained in this act:

(*b*) Where a tenant is entitled to apply for possession under clause (*a*) fails to do so within one month, from the date on which the right to make the application accured to him the Controller shall have power to treat it as a house having fallen vacant and to proceed under section 3.

(6) Where the Controller is satisfied that any application made by a landlord for the eviction of a tenant is frivolous or vexatious, the Controller may direct that compensation not exceeding fifty rupees be paid by such landlord to that tenant.

(7) Where an application under sub-section (2) or sub-sec-

tion (3) for evicting a tenant has been rejected by the Controller, the tenancy shall subject to the provisions of this Act, be deemed to continue on the same terms and conditions as before and shall not be terminable by the landlord except on one or more of the grounds mentioned in sub-section (2) or sub-section (3);

(8) Notwithstanding anything contained in this section, no person who is receiving or is entitled to receive the rent of a building merely as an agent of the landlord, shall, except, with the previous written consent of the landlord, be entitled to apply for the eviction of a tenant.

Conversion of residential house into a non-residential house.

11. No residential house shall be converted into a non-residential house, except with the permission of the Controller.

Landlord not to interfere with amenities enjoyed by the tenant.

12. (1) No landlord shall, without just or sufficient cause, cut off or withhold any of the amenities enjoyed by the tenant.

(2) A tenant in occupation of a house may, if the landlord has contravened the provisions of this section make an application to the Controller complaining of such contravention.

(3) If the tenant satisfies the Controller that the amenities were cut off or withheld with a view to compelling him to vacate the house or to pay an enhanced rent, the Controller may pass an interim order, directing the landlord to restore the amenities immediately, pending the inquiry referred to in sub-section (4).

Explanation.—An interim order may be passed under this sub-section without giving notice to the landlord.

(4) If the Controller on inquiry finds that the tenant has been in enjoyment of the amenities and that they were cut off or withheld by the landlord without just or sufficient cause, he shall make an order directing the landlord to restore such amenities.

(5) If any of the amenities enjoyed by the tenant are stopped by any person other than the landlord by reason of landlord's failure to pay taxes or other charges, the tenant may pay them and have the amenities restored and deduct from the rent the amounts paid.

(6) The Controller may in his discretion direct that compensation not exceeding fifty rupees—

(*a*) be paid to the landlord by the tenant, if the application under sub-section (2) was made frivolously or vexatiously ;

(*b*) be paid to the tenant by the landlord, if the landlord had cut off or withheld the amenities frivolously or vexatiously.

Decisions which have become final not to be re-opened.

13. The Controller shall summarily reject any application under sub-section (2) or under sub-section (3) of section 10 which raises between the same parties or between parties under whom they or any of them claim substantially the same issues as have been finally decided or as purport to have been finally decided in a former proceeding, under the Hyderabad House Rent Controlling Order of 1353 Fasli or under this Act.

Orders of Controller to be pronounced in open Court.

14. Every order passed by a Controller under this Act shall be pronounced in open Court on the day on which the case is finally heard, or on some future day of which due notice shall be given to the parties.

Landlord to keep houses in good repair.

15. (1) Every landlord shall be bound to keep the house in reasonably good repairs.

(2) If the landlord neglects to make within a reasonable time after the notice by the tenant is served upon him by post or otherwise, any repairs which he is bound to make under sub-section (1), the tenant may make the repairs himself and deduct the cost of such repairs from the rent or, otherwise recover it from the landlord, provided that the amount so deducted or recoverable in any year shall not exceed one-twelfth of the rent payable by the tenant for that year.

Hearing of the application.

16. The hearing of every applicatien filled before the Controller under this Act shall be commenced by the Controller as soon as possible and shall be continued from day to day unless for reason to be recorded in writing it is not possible for him to do so.

Costs.

17. Subject to such conditions and limitations, if any, as may be prescribed, the costs of and incident to all proceedings before the Controller or the appellate authority referred to in section 20 shall be in the discretion of the Controller or the appellate authority who shall have full power to determine by whom or out of what property and to what extent such costs are to be paid and to give all necessary directions for the purpose.

Semmoning witnesses.

18. In the matter of summoning witnesses and compelling production of documents in enquiries, the Controller shall; so

far as may be, follow the procedure laid down in that behalf in the Code of Civil Procedure, 1908, with such modifications as the circumstances may require.

Procedure for enquiries.

19. For making enquiries under this Act, the Controller shall follow as nearly as possible, the procedure laid down in the Code of Civil Procedure, 1908, for the regular trial of suits, the substance only of the evidence and findings being recorded as in unappealable cases and shall record in brief the reasons for his findings.

Appeal.

20. (1) Notwithstanding anything contained in any law for the time being in force, an appeal from an order made by the Controller shall lie within 30 days from the date of such order in the City of Hyderabad to the Chief Judge, Small Causes Court and elsewhere to the District Judge. In computing the said period of 30 days, the time taken in obtaining a certified copy of the order appealed against shall be excluded.

(2) On such appeal being preferred the appellate authority may order stay of further proceedings in the matter pending decision on appeal, if it is satatisfied that the appellant has furnished sufficient security for all the arrears of rent that would be due by him in respect of the house at the rate fixed by the Controller, until the termination of the proceedings before the appellate authority.

(3) The appellate authority shall send for the records of the case from the controller and after giving the parties an opportunity of being heard, and if necessary after making such further inquiry as it thinks fit either personally or through the Controller, shall decide the appeal.

(4) Save as provided in section 21 the decision of the appellate authority and subject to only such decision, an order of the Controller shall be final and shall not be liable to be called in question in any Court of Law whether in a suit or other proceedings or by way of appeal.

Revision.

21. Notwithstanding anything contained in this Act or any other law for the time being in force, an application for revision shall lie to the High Court from any final order passed on appeal by an appellate authority on the following grounds:–

(*a*) that the original or appellate authority excercised a jurisdiction not vested in it by law, or

(*b*) that the original or appellate authority failed to exercise a jurisdiction so vested, or

(*c*) in following the procedure or passing the order, the original or appellate authority acted illegally or with material irregularity.

Order under the Act binding on the sub tenants.

22. Any order for the eviction of a tenant passed under this Act shall be binding on all sub-tenants under such tenant, whether they were parties to the proceedings or not, provided that such order was not obtained by fraud or collusion.

Proceedings by or against the legal representatives.

23. (1) Any application made, appeal preferred or proceeding taken under this Act by or against any person, may, in the event of his death, be continued by or against his legal representatives.

(2) Where any application, appeal or other proceedings could have been made, preferred or taken under this Act by or against any person, such application, appeal or other proceeding may, in the event of his death, be made, preferred or taken by or against his legal representatives.

Executive authorities of local bodies to furnish certified extracts from property tax assessment books.

24. The executive authority of a Municipal Body shall on application made in this behalf grant to the applicant a certified copy of the extract from property tax assessment book of the Municipal Body showing the rental value of the house in respect of which an application has been made, relating to the period specified in the application. Such certified copy shall be recorded as evidence of the facts stated therein in proceedings under this Act.

Landlord and tenant to furnish particulars.

25. Every landlord and every tenant of a house shall be bound to furnish to the Controller or any person in that behalf such particulars in respect of the house as may be prescribed.

Exemptions.

26. (1) This Act shall not apply to —

(*a*) any house taken on lease or requisitioned by Government;

(*b*) any house belonging to —

(i) Government;

(ii) any Local Authority;

(iii) City Improvement Board, Hyderabad;

(iv) Town Improvement Trust, Secunderabad; or

(v) any Ward of the Court of Wards;

(*c*) any person whom or institution which the Government may by a general or special order exempt.

(2) The Government may, by general or special order, direct that all or any of all provisions of this Act shall not apply, subject to such conditions and terms, if any, as it may specify in the order, to any house or houses used—

(i) for any public purpose of a charitable nature ;

(ii) as a hostel ;

(iii) as a public institution.

Power to enter and inspect premises.

27. For the purpose of any enquiry for discharge of his duties undr this Act, the Controller may—

(*a*) enter and inspect, or authorise any officer, subordinate to him to enter and inspect, any house at any time between sunrise and sunset ; or

(*b*) by written order require any person to produce for his inspection such accounts, rent, receipts, books or other documents relevant to the inquiry, at such time and at such place, as may be specified in tne order :

Provided that no houses shall be entered under clause (*a*) without the consent of the occupier unless at least twenty.four hours previous notice in writing has been given.

Penalties.

28. Any person who contravenes any of the provisions of sub-section (2) of section 3, clause (*a*) of sub-section (1) and clause (*a*) and sub-section (4) of section 7, section 11, sub-section (1) of section 12, and section 25, shall be punishable with fine which may extend to Rs. 1,000.

Execution.

29. Every order under section 10, 12, 20, 21 and 28 may be executed by the Controller passing the order as a decree of a Civil Court.

Power to make rules.

30. The Government may make rules to carry out the purposes of this Act.

Repeal and saving.

31. (1) The Hyderabad Rent Control Order, 1353 Fasli, is hereby repealed.

(2) Notwithstanding any decision or order of any Court to the contrary—

(*a*) any order made or deemed or purporting to have been made any decision or direction given or deemed or purported to have been given, any notification issued or deemed or purporting to have been issued, any action or proceeding taken or deemed or purporting to have been taken, or anything done or deemed or purporting to have been done under

the provisions of the said order shall, so far as may be, be deemed to be made, given, issued, taken or done under the provisions of this Act ;

(*b*) any liability or penalty incurred or deemed or purporting to have been incurred, any punishment awarded or deemed or purporting to have been awarded, and any prosecution commenced or deemed or purporting to have been commenced under the provisions of the said order shall be deemed to have been incurred, awarded, made or commenced under the corresponding provision of this Act ;

(*c*) any application made, appeal preferred or other proceeding instituted under the said order and pending at the commencement of this Act shall be deemed to have been made, preferred or instituted under the corresponding provision of this Act and shall be disposed of as if this Act had been in force at the time when such application, appeal or proceeding was made, preferred or instituted.

Indemnity for acts, etc., done.

32. *[(1) No suit, prosecution or other legal proceeding shall lie, in any Court against any officer or servant of Government or any person acting under his directions or aiding or assisting him for or on account of, or in respect of any decision given or any act ordered or done by him, in exercise of any jurisdiction or power purporting to have been conferred on him by or under the Hyderabad Rent Control Order, 1353 Fasli, or for carrying out any decision given by any Court or other authority in exercise of any such jurisdiction or power as aforesaid].

(2) No suit or other Legal proceeding shall lie against the Government for or on account of, or in respect of any act, matter or thing whatsoever, purporting to have been done in pursuance of or under the said order.

(3) Sub-sections (1) and (2) shall have effect as though this Act was in force as at the commencement of the said order.

* Substituted by Act No. XXXIV of 1954, published in Gazette Extraordinary No. 197, dated 18th November, 1954.

* [SCHEDULE.

The areas within the limits of the following cities and towns, viz. :—

1. Hyderabad.
2. Secunderabad.
3. Warangal (including Karimabad Suburb).
4. Gulbarga.
5. Khammam.
6. Raichur.
7. Nanded.
8. Bhir.
9. Parbhani.
10. Osmanabad.
11. Aurangabad.
12. Adilabad.
13. Nizamabad.
14. Nalgonda.
15. Mahbubnagar.
16. Karimnagar.
17. Medak.
18. Bidar.
19. Bhongir (Nalgonda district).
20. Siddipeth (Medak district).
21. Jalna (Aurangabad district).
22. Mominabad (Bhir district).
23. Parli (Bhir district).
24. Hingoli (Parbhani district).
25. Shorapur (Gulbarga district).
26. Tandur (Gulbarga district).
27. Yadgir (Gulbarga district).
28. Latur (Osmanabad district).
29. Suryapeth (Nalgonda district).
30. Jangaon (Warangal district).
31. Dharmabad (Nanded district).
32. Asifabad (Adilabad district).
33. Huzurabad (Karimnagar district).
34. Sailu (Parbhani district).
35. Purna (Parbhani district).
36. Sedam (Gulbarga district).
37. Vicarabad (Medak district).
38. Sangareddy (Medak district).
39. Gajwel (Medak district).
40. Narsapur (Medak district).
41. Patencheru (Medak district)].

* Substituted by Act No. XXXIV of 1954, published in Gazette Extraordinary No. (197) dated 18th November, 1954.